



California Regulatory Notice Register

REGISTER 2007, NO. 44-Z

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NOVEMBER 2, 2007

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Sierra Planning Organization

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson West.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: San Bernardino Valley
Municipal Water District

A written comment period has been established commencing on **November 2, 2007**, and closing on **December 17, 2007**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Direc-

tor of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **December 17, 2007**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to **Ashley Clarke**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the re-

spective agency. Requests for copies from the Commission should be made to **Ashley Clarke**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Sierra Economic Development Corporation
Sierra Planning Organization
Tulelake Basin Joint Unified School District

A written comment period has been established commencing on **November 2, 2007**, and closing on **December 17, 2007**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

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The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written com-

ments must be received no later than **December 17, 2007**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

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Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to **Ashley Clarke**, Fair Political

Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

ceived by the Regulations Coordinator prior to **5:00 p.m. on December 20, 2007.**

TITLE 5. SUPERINTENDENT OF PUBLIC INSTRUCTION

NOTICE OF PROPOSED RULEMAKING AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING PROGRAM REQUIREMENTS FOR CALIFORNIA SCHOOL AGE FAMILIES EDUCATION PROGRAMS ALSO KNOWN AS CAL-SAFE

[Notice published November 2, 2007]

NOTICE IS HEREBY GIVEN that the State Superintendent of Public Instruction (SSPI) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

California Department of Education (CDE) staff, on behalf of the SSPI, will hold a public hearing beginning at **11:15 a.m. on December 20, 2007**, at 1430 N Street, Room 1801, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The SSPI requests, but does not require, that persons who make oral comments at the public hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to:

Debra Strain, Regulations Coordinator
LEGAL DIVISION
California Department of Education
1430 N Street, Room 5319
Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at 916-319-0155 or by e-mail to regcomments@cde.ca.gov. Comments must be re-

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the SSPI may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposed regulations.

AUTHORITY AND REFERENCE

Authority: Sections 8261, 8261.5, 8263, 8264.5, 8265, 8269, 54743, 54745, 54746, 54747, 54748, and 54749, Education Code; Section 1596.792, Health and Safety Code.

Reference: Sections 8206, 8208, 8261, 8261.5, 8263, 8264.5, 8271, 8275, 8360, 54742, 54743, 54745, 54746, 54747, 54749, and 56026, Education Code; Sections 1596.81, 1596.87, 1597.05, and 1597.059, Health and Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The SSPI proposes to adopt sections 18350 through 18364 in California Code of Regulations, title 5. These sections concern the child care and development component of the California School Age Families Education (Cal-SAFE) program.

The purpose of the regulations is to clarify and define the requirements for local educational agencies to implement the child care and development component.

Education Code section 54746(c)(6) requires the child care and development component to operate pursuant to applicable sections of the Child Care and Development Services Act, Chapter 2 of Part 6 of the Education Code beginning with section 8200. These regulations will define the applicable sections by clarifying requirements to implement a child care and development component that are consistent with similar programs operated by contract and identifying the exceptions to the regulations that govern other CDE child care and development programs.

INCORPORATION BY REFERENCE

This regulation incorporates by reference the *CalWORKs and Alternative Payment Child Care Programs Error Rate Study Report* (April 2005). This document is available for viewing from the Regulations Coordinator at the above address.

DISCLOSURES REGARDING THE PROPOSED ACTION

The SSPI has made the following initial determinations:

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of division 4 of the Government Code: None

Other non-discretionary costs or savings imposed on local educational agencies: None

Costs or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private person or businesses: The SSPI is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not 1) create or eliminate jobs within California; 2) create new businesses or eliminate existing businesses within California; or 3) affect the expansion of businesses currently doing business within California.

Effect on housing costs: None

Effect on small businesses: The proposed amendments to the regulations do not affect small businesses because the regulations apply only to school districts and not to small business practices.

CONSIDERATION OF ALTERNATIVES

The SSPI must determine that no reasonable alternative it considered or that has otherwise been identified and brought to his attention, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

The SSPI invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the content of this regulation should be directed to:

Juanita Weber, Consultant

Development Learning Support and Partnerships Division

California Department of Education

1430 N Street, Room 6408

Sacramento, CA 95814

Telephone: 916-319-0545

E-mail: jweber@cde.ca.gov

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator or Connie Diaz, Regulations Analyst, at 916-319-0860.

INITIAL STATEMENT OF REASONS AND INFORMATION

The SSPI has prepared an Initial Statement of Reasons for the proposed regulation and has available all the information upon which the proposal is based.

TEXT OF PROPOSED REGULATION AND CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulation, the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Regulations Coordinator. These documents may also be viewed and downloaded from the CDE's Web site at <http://www.cde.ca.gov/re/lr/rr/>.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the Regulations Coordinator.

You may obtain a copy of the Final Statement of Reasons once it has been prepared, by making a written request to the Regulations Coordinator.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request as-

sistance by contacting Juanita Weber, Learning Support and Partnerships Division, 1430 N Street, 6th Floor, Sacramento, CA, 95814; telephone, 916-319-0545; fax, 916-445-7367. It is recommended that assistance be requested at least two weeks prior to the hearing.

TITLE 14. FISH AND GAME COMMISSION

Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Section(s) 200, 202, 205, 215, 220, 240, 315 and 316.5 of the Fish and Game Code and to implement, interpret or make specific Section(s) 200, 202, 205, 206, 215 and 316.5 of said Code, proposes to amend Subsection 7.50(b)(172.7), Title 14, California Code of Regulations, relating to Sausal Creek Sport Fishing Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

During the 2003 Commission triennial review of sport fishing, there was significant public interest to close Sausal Creek and its tributaries located within the City of Oakland, Alameda County, to all sport fishing. At that time, the Department of Fish and Game (Department) did not support a total closure and proposed an alternative to allow catch and release fishing using artificial lures with barbless hooks on trout, salmon, and steelhead while allowing continued harvest of warm water fish which prey on juvenile salmonids. The Commission adopted the Department's alternative regulations for Sausal Creek and its tributaries on December 16, 2003.

Since 2003, the local government, various watershed groups and interested parties have continued to actively pursue restoration efforts and funding for Sausal Creek and its tributaries to offset the degradation due to urbanization, unnatural flows, sediments, and contaminants. Despite the strong local restoration effort, the local salmonid population continues to remain at the low numbers first observed in 1998.

On July 18, 2006, the City of Oakland passed a resolution to seek a permanent restriction on sport fishing in all of Oakland's freshwater creeks, streams, and waterways. The City of Oakland made a written request to have its 2006 resolution discussed at the October Commission meeting in a letter dated July 18, 2007. The City of Oakland's request was discussed at the October 11, 2007 meeting in Concord where there was significant

public support for the City of Oakland's request with most of the comments and observations focused on Sausal Creek and its tributaries.

The Department supports the strong interest on the local salmonid populations and the ongoing restoration efforts. Without further information, the Department supports only the fishing closure on Sausal Creek and its tributaries.

The proposed regulatory action would amend subsection (b)(172.7) of Section 7.50, Title 14, California Code of Regulations (CCR), from current regulations which allow fishing from the last Saturday in April through November 15 using artificial lures and barbless hooks and a zero bag limit to a complete fishing closure all year.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Department of Education, State Board Room, 1430 'N' Street (Room 1101), Sacramento, California, on December 7, 2007 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a teleconference hearing to be held in the Commission Conference Room, 1416 Ninth Street, Room 1320, Sacramento, California, on Monday, December 17, 2007, at 11:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before December 16, 2007 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on December 16, 2007.** All comments must be received no later than December 17, 2007, at the teleconference hearing in Sacramento, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Jon K. Fischer at the preceding address or phone number. **Mr. Scott Barrow, Department of Fish and Game, phone (916) 445-7600, has been designated to respond to questions on the substance of the proposed regulations.**

Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action is necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business.

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

**TITLE 14. SAN FRANCISCO BAY
CONSERVATION AND DEVELOPMENT
COMMISSION**

**CALIFORNIA CODE OF REGULATIONS,
TITLE 14, DIVISION 5**

**SAN FRANCISCO BAY CONSERVATION AND
DEVELOPMENT COMMISSION**

**Notice of Proposed Rulemaking
Dredging and Dredged Disposal Projects That
Can Be Authorized Administratively, Commission
Regulation Section 10602 (14 Cal. Code of
Regulations Section 10602)
And Commission Regulation
Section 10800 (14 Cal. Code of Regulations
Section 10800)**

The San Francisco Bay Conservation and Development Commission ("the Commission") proposes to amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The San Francisco Bay Conservation and Development Commission will hold a public hearing on December 20, 2007 at its regularly scheduled meeting, which begins at 1:00 p.m., at the Metro Center, 101 8th Street, Oakland, California. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. Any person may present written statements or arguments to the Commission staff in advance of the public hearing or through 5:00 p.m. on Thursday, December 20, 2007. The Commission requests but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any person or organization may submit written comments on the proposed regulatory action to the Commission. The written comment period closes at **5:00 p.m. on Thursday, December 20, 2007**. The Commission will consider only comments received by that time. Please submit comments to:

Steve Goldbeck
San Francisco Bay Conservation and Development
Commission
50 California Street, Suite 2600
San Francisco, California 94111

AUTHORITY AND REFERENCE

Authority: California Government Code Section 66632(f) and California Public Resources Code Section 29201(e).

Reference: California Government Code Sections 66632(a) and (f) and 66663 through 66666; and California Public Resources Code Sections 29201(e), 29520, and 29595.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Commission proposes to amend Commission Regulation Section 10602, which specifies what types of dredging and disposal projects the Executive Director can authorize administratively, as follows: (1) to extend the time period for maintenance dredging from five years to 10 years; (2) to extend the time period for new dredging from five to 10 years and to double the amount of material that can be dredged; (3) to reduce

the monthly limit of disposal of dredged material that can occur at the Alcatraz Island disposal site (SF-11) pursuant to an administrative permit from 1 million cubic yards to 400,000 cubic yards per month from October 1 of each year through April 30 of the following year; (4) to replace language that states limitations for material dredged by a small dredger as defined in Commission Regulation Section 10727 with a cross-reference to Section 10727, (5) to require the Executive Director to consult with National Marine Fisheries Service, U. S. Fish and Wildlife Service, and California Department of Fish and Game before the Executive Director can issue an administrative permit to authorize the disposal of less than 30,000 cubic yards of dredged material that does not otherwise qualify for the issuance of an administrative permit; and (6) make other non-substantive changes to clarify the regulation.

The Commission also proposes to amend Commission Regulation Section 10800 to clarify that a proposed amendment to a Commission permit that would involve dredging or the disposal of dredged material would be considered as a nonmaterial amendment if the activity could be authorized administratively under Section 10602 if a new permit application were being sought.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Commission has made the following initial determinations:

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: state agencies will realize small savings based on having to pay an administrative permit application fee once every ten years rather than once every five years.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Sections 17500 through 17630: none.

Other nondiscretionary cost or savings imposed on local agencies: local agencies will realize small savings based on having to pay a permit application fee once every ten years rather than once every five years.

Cost of savings in federal funding to the state: none.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: none.

Cost impacts on a representative private person or business: private persons or businesses will realize small savings based on having to pay a permit application fee once every ten years rather than once every five years.

Significant effect on housing costs: none.

Assessment of potential to create or eliminate jobs or businesses or expand businesses within the State of California: none.

Small Business Determination: The Commission has determined that the proposed regulatory changes will not adversely affect small business. Small businesses will realize small savings based on having to pay a permit application fee once every ten years rather than once every five years

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulatory action at the scheduled hearing or during the written comment period.

CONTACT PERSON

Inquiries concerning the proposed regulatory action may be directed to:

Ellen Sampson
San Francisco Bay Conservation and Development
Commission
50 California Street, Suite 2600
San Francisco, CA 94111
Telephone: (415) 352-3655
Email: jons@bcdc.ca.gov

Or to:

Steve Goldbeck
Assistant Executive Director for Regulation,
Legislation, and Dredging
50 California Street, Suite 2600
San Francisco, CA 94111
(415) 352-3611
email: steveg@bcdc.ca.gov

Please direct requests for copies of the text (the "express terms") of the proposed regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, and other information upon which the proposed rulemaking is based to Ms. Sampson or to Mr. Goldbeck at the above address.

AVAILABILITY OF TEXT OF THE REGULATIONS AND THE STATEMENT OF REASONS AND PLAIN ENGLISH DETERMINATION

The Commission will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date that this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the Initial Statement of Reasons. Copies may be obtained by contacting Ellen Sampson or Steve Goldbeck at the address or telephone number listed above.

The proposed regulations were prepared pursuant to the standard of clarity provided in Government Code Section 11349 and the plain English requirements of Government Code Sections 11342.580 and 11346.2(a)(1). The proposed regulations are considered non-technical and were written to be easily understood by the affected parties.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Commission may adopt the proposed regulatory changes substantially as described in this notice. If the Commission makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the Commission adopts the regulations as modified. Please send requests for copies of any modified regulations to Ellen Sampson at the address indicated above. The Commission will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Sampson at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the proposed changes in ~~strikeout~~ and underlined format, as well as the Final Statement of Reasons once it is completed, can be accessed through the BCD website at www.bcdc.ca.gov.

**TITLE 15. DEPARTMENT OF
CORRECTIONS AND REHABILITATION**

**NOTICE OF ADOPTION OF EMERGENCY
REGULATIONS**

**California Code of Regulations
Title 15, Crime Prevention and Corrections
Department of Corrections and Rehabilitation**

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Section 12838.5, Penal Code (PC) Section 5058, and the rulemaking authority granted by PC Section 5058.3, in order to implement, interpret and make specific PC Sections 2601 and 5054, proposes to adopt and amend Sections 3482, 3484, 3485 and 3486 of the California Code of Regulations (CCR), Title 15 concerning the Joint Venture Program.

PUBLIC HEARING

Date and Time: December 18, 2007 — 10:30 a.m. to 11:30 a.m.

Place: Corrections Standards Authority
Large Conference Room — West
Entrance
660 Bercut Drive
Sacramento, CA 95814

Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close, December 18, 2007 at 5:00 p.m. Any person may submit public comments in writing (by mail, by fax, or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 341-7366; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883, Sacramento, CA 94283-0001
Telephone (916) 341-7390**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**Ann Cunningham
Regulation and Policy Management Branch
Telephone (916) 341-7390**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Joseph D. Armor, Sr.
Branch Manager
Inmate Development Branch
Prison Industry Authority
Telephone: (916) 358-1661**

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Government Code Section 17561.

FISCAL IMPACT STATEMENT

- Cost to any local agency or school district that is required to be reimbursed: *None*
- Cost or savings to any state agency: *None*
- Other nondiscretionary cost or savings imposed on local agencies: *None*
- Cost or savings in federal funding to the state: *None*

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

**COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES**

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESS**

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of state prisons.

**ASSESSMENTS OF EFFECTS ON JOB
AND/OR BUSINESS CREATION,
ELIMINATION OR EXPANSION**

The Department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons, than the proposed regulatory action. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

**AVAILABILITY OF PROPOSED TEXT AND
INITIAL STATEMENT OF REASONS**

The Department has prepared, and will make available, the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department's contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the Department's website <http://www.cdcr.ca.gov>.

**AVAILABILITY OF THE FINAL
STATEMENT OF REASONS**

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department's contact person.

**AVAILABILITY OF CHANGES
TO PROPOSED TEXT**

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

PC Section 5058.3 authorizes the Director to adopt, amend, or repeal emergency regulations conducted pursuant to Government Code Section 11340.

In this regulatory action, the Secretary proposes to amend and adopt provisions governing Article 9, Joint Venture Program (JVP), CCR, Title 15, Sections 3482, 3484, 3485 and 3486 within the CDCR. This action complies with the Court of Appeal opinion, *Vasquez v. State of California*, 105 Cal.App.4th 849 (2005), as implemented by the Stipulated Injunction and Order entered by the Superior Court of San Diego County in Case No. GIC-740832, regarding the Joint Venture Program's Wage Plan Protocol. The amendments and adoption of text are as follows:

- The JVP Administrator shall obtain from participating Joint Venture Program Employers

(JVE) revised job descriptions for inmates when there is a change in job duties. The JVE is required to submit detailed job descriptions and wage plans prior to commencing business, upon creation of any new JVE job position, or upon the alteration of any existing position. If there are non-inmate employees performing the same or similar work for that particular employer, detailed job descriptions, wage rate and wage plans with documentation are required. JVEs shall certify under oath the accuracy of the job description.

- These regulations expand and define monitoring of comparable wages and wage plans. These regulations also specify that the JVP shall maintain a data base for inmate positions and conduct desk audits. This procedure is outlined to ensure that inmates are paid comparable wages and to notify JVEs of the procedures in the event a JVE is found to be in non-compliance.
- With the implementation of these regulations, it is necessary to correct language regarding an inmate's savings account. With the adoption of language regarding comparable wages for inmates, it is necessary to increase the amount in an inmate's savings account for early withdrawal and define the meaning of a portion for early withdrawal of funds from the inmate's savings account. This will provide clarity to the inmate as to the amount and expectation of moneys withdrawn for various purposes.
- Changes for enhanced clarity, including reference, grammatical corrections, and changes in punctuation are also made to meet departmental standards.

TITLE 19. STATE FIRE MARSHALL

NOTICE OF PROPOSED RULEMAKING

OFFICE OF THE STATE FIRE MARSHAL California Code of Regulations Title-19

The State Fire Marshal proposes to adopt the proposed regulations described below after considering all comments, objections or recommendations regarding the proposed action.

PUBLIC HEARING

The State Fire Marshal has not scheduled a public hearing on this proposed action. However, the State Fire Marshal will hold a public hearing if a written request is received from any interested party or their authorized

representative no later than 15 days before the end of the 45-day comment period.

WRITTEN COMMENT PERIOD

The State Fire Marshal will accept written comments regarding this regulatory action until 5 p.m. on December 17, 2007.

Send mailed comments to:

OFFICE OF THE STATE FIRE MARSHAL
Attention: Diane Arend
P.O. Box 944246
Sacramento, CA 94244-2460

Or by e-mail to
ProposedFireAlarmTestReports@fire.ca.gov

Or you may fax your comments to:
Attention: Diane Arend
(916) 445-8459

AUTHORITY & REFERENCE

The State Fire Marshal is proposing this regulatory action pursuant to Health and Safety Code Sections: 13114 and 13144.4 with reference to 13114 and 13144.1, Health and Safety Code.

INFORMATIVE DIGEST — POLICY STATEMENT OVERVIEW

Proposed Title 19 Modified Sections

The State Fire Marshal proposes to: amend Title 19 CCR, Chapter 1.5, Section 208 and 209 to address the items manufacturers must submit for application of listing of fire alarm devices and to direct the State Fire Marshal to issue a listing upon receipt of the items.

The State Fire Marshal utilized the recommendations of the working group per the requirements of Health and Safety Code Section 13114 and Assembly Bill (AB) 2177, Statutes of 2006, Chapter 745 to develop the concept and to review the proposed regulations. The working group consists of representatives from the fire alarm industry, the fire service and the testing laboratories.

DISCLOSURES REGARDING THE PROPOSED ACTION

The State Fire Marshal has made the following determinations:

1. Mandate on local agencies and school districts:
None

2. Cost or savings to any State agency: **None**
3. Cost to any local agency or school district which must be reimbursed in accordance with Government Code, Section 17561: **None**
4. Other non-discretionary cost or savings imposed upon local agencies: **None**
5. Cost or savings in federal funding to the State: **None**
6. Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other States: **None**
7. Cost impact on representative private persons or affected businesses: The State Fire Marshal is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
Adoption of these regulations **will not**:
 - a) create or eliminate jobs within California;
 - b) create new businesses or eliminate existing businesses within California; or
 - c) affect the expansion of businesses currently doing business within California.
8. Significant effect on housing costs: **None**

SMALL BUSINESS EFFECTS

The State Fire Marshal has made the initial determination that the amendments to these regulations will have no substantial effect to small businesses and the State Fire Marshal has not identified any alternatives that would lessen any adverse impact, if any, on small businesses. The State Fire Marshal amendment to these regulations clarifies the requirements for listing fire alarm equipment and fire alarm devices for purposes of improving service by expediting approval and listing with no additional cost to manufacturers. Business will benefit from these changes because the delay for listing will be lessened thereby allowing products to be sold sooner.

The expressed terms of the proposed action are written in plain English and are available from the agency contact person.

CONSIDERATION OF ALTERNATIVES

The State Fire Marshal must determine that no reasonable alternative considered by it or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less

burdensome to affected private persons or businesses than the proposed action.

The State Fire Marshal invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSON

Inquiries concerning the proposed regulatory action, or requests for copies of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations, or other information upon which the rulemaking is based may be directed to:

Diane Arend
P.O. Box 944246
Sacramento, California 94244-2460
Telephone: (916) 324-9592
Fax: (916) 445-8459
E-mail: diane.arend@fire.ca.gov

Alternate Contact:

Mike Tanaka, Program Coordinator
CDF/Office of the State Fire Marshal
Building Materials Listings Program
1131 S Street
Sacramento, Ca 95814
Telephone: (916) 445-8396
Fax: (916) 445-8458
E-mail: mike.tanaka@fire.ca.gov

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Office of the State Fire Marshal will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office, shown above. As of the date this notice is published in the Notice Register the State Fire Marshal rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons for the proposed action. The full text of the regulations, along with the final statement of reasons upon which the changes are based is available from the contact person as shown. Copies may be obtained by contacting Diane Arend at the address or telephone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the 45-day comment period, the State Fire Marshal may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally

proposed text, the modified text — with changes indicated — shall be made available to the public for at least 15 days before the State Fire Marshal adopts (amends or repeals) the regulations as revised. Requests for copies of any modified regulations should be sent to Diane Arend at the address indicated above. The State Fire Marshal will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Diane Arend at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the initial Statement of Reasons and the text of proposed regulations, highlighted in underline and strikeout, can be accessed through our web-site at <http://osfm.fire.ca.gov>.

TITLE 22. EMPLOYMENT DEVELOPMENT DEPARTMENT

Amendment of Title 22, California Code of Regulations Section 2708(c)–1

PAID FAMILY LEAVE ACCEPTABLE DOCUMENTATION

Notice of Proposed Rulemaking

The Employment Development Department (Department) proposes to amend California Code of Regulations (CCR), title 22, section 2708(c)–1, to ensure that proper documentation is provided to support a Paid Family Leave (PFL) claim for bonding with a new minor child.

The Department will adopt these regulations after considering all comments, objections, or recommendations regarding the proposed regulatory action.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The enactment of Senate Bills (SB) 1661 (Chapter 901, Statutes 2002) and SB 727 (Chapter 797, Statutes

2003) established the Family Temporary Disability Insurance (FTDI) program, known as the PFL program, within the existing State Disability Insurance (SDI) program. The FTDI benefit provides partial wage replacement to workers taking family care leave and is administered by the Department in accordance with the provisions of Part 2 (commencing with section 2601) of the California Unemployment Insurance Code (code).

FTDI benefits are provided to workers who are unable to perform their regular or customary work when they are either providing care for a seriously ill child, spouse, parent, registered domestic partner or bonding with a new minor child and are determined to be eligible for such benefits. The FTDI benefit became payable for claims beginning on and after July 1, 2004. Regulations and procedures for determining eligibility for FTDI benefits became operative on July 1, 2004. The intent of the regulations is to ensure that proper documentation is provided to support a PFL claim for bonding with a new minor child.

Under code sections 305 and 306, the Department is authorized to adopt, amend, or repeal regulations for the administration of the functions of the Department. Under code sections 2625, 2706, and 2708, SDI benefits are payable from the Disability Fund to individuals who file a claim for benefits in accordance with authorized regulations and are eligible to receive such benefit payments.

The proposed amendments to CCR, title 22, section 2708(c)–1, are necessary to clarify the documentation requirements for determining eligibility for FTDI benefits in response to claims for taking family care leave to bond with a new minor child.

The following proposed amendments to CCR, title 22, section 2708(c)–1, will:

- More clearly articulate what constitutes acceptable documentation,
- Provide the Department with the flexibility to use discretion when determining a claimant's eligibility for FTDI benefits, and
- Allow the Department to continue to maintain the integrity of the program.

The proposed amendments will address the above three bulleted items.

Authority and Reference:

Authority: Sections 305 and 306, Unemployment Insurance Code.

Reference: Sections 2706 and 2708, Unemployment Insurance Code.

Fiscal Impact:

Anticipated costs or savings in federal funding to the State: None

Anticipated costs or savings to any State Agency: None

Anticipated costs or savings to any local agency or school district: None

Significant statewide adverse economic impact: The Department does not anticipate the proposed amendments will result in any costs to the federal government, to State government, to local county governments, to private individuals, or businesses or small businesses. Thus, no costs were shown on the Economic and Fiscal Impact Statement.

The Department has made an initial determination that the proposed amendments will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states because the amendments make only clarifying changes to current regulations and provide necessary examples to support those changes. The Department has determined that the proposed amendments will not affect the creation or elimination of jobs within the State of California; the creation of new businesses or the elimination of existing businesses within the State of California; or the expansion of businesses currently doing business within the State of California.

The costs impact on representative persons or businesses: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed amendments.

Anticipated impact on housing costs: The proposed amendments will have no effect on housing costs.

Anticipated nondiscretionary costs or savings imposed upon local agencies: None

Small Business Impact:

The Department has determined that the proposed amendments will have no effect on small businesses because they do not impose any new mandates on small businesses.

Local Mandate Determination:

The Department has determined that the proposed amendments will not impose any new mandates on school districts or other local governmental agencies or any mandates which must be reimbursed by the State pursuant to Part 7 (commencing with section 17500), Division 4 of the Government Code.

Consideration of Alternatives:

In accordance with section 11346.5(a)(13) of the Government Code, the Department must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulatory action.

Written Comment Period:

Any interested person, or his or her authorized representative, may submit written comments on the proposed action to Laura Colozzi via U.S. mail, e-mail, or fax (see U.S. mail and e-mail addresses and fax number indicated below). **E-mail comments should include true name and mailing address of the commentor. Written comments submitted via U.S. mail, e-mail, or fax, must be received by the Department no later than December 17, 2007, at 5 p.m.** Please submit any written comments before that time. The Department cannot accept written comments after the close of the public comment period.

Contact Persons

Inquiries or comments should be directed to:

(Mailing address) Laura Colozzi, Legal Analyst
Employment Development
Department
P. O. Box 826880
Legal Office, MIC 53
Sacramento, CA 94280-0001

(Hand delivery) Laura Colozzi, Legal Analyst
Employment Development
Department
800 Capitol Mail, Room 5020
Legal Office, MIC 53
Sacramento, CA 95814

Telephone No.: (916) 654-7712

Fax No.: (916) 654-9069

E-Mail Address: eddlegal@edd.ca.gov

Note: In the event Laura is unavailable, inquiries should be directed to the following backup contact persons at the same address as noted above:

Name: Penny Ayers, Legal Analyst

Telephone No.: (916) 654-8410

Questions regarding the substance of the proposed regulatory action should be directed to:

Name: Kristi Beckley, Staff Counsel

Telephone No.: (916) 654-8410

Internet Website Access

The Department has posted on its Internet website <http://www.edd.ca.gov> materials regarding the proposed regulatory action. Select "Proposed EDD Regulations."

Public Hearing:

No public hearing has been scheduled on the proposed action. However, if any person desires to submit oral comments, the Department will schedule a public hearing upon that person's written request. **Such request must be received no later than 15 days prior to**

the close of the written comment period which is 5 p.m. on December 17, 2007. A request for hearing can be made by contacting the persons noted above.

Modification of Proposed Action:

If the Department makes any additional changes based on public testimony, those changes (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted. Copies of any additional changes regarding the proposed regulatory action will be mailed to all persons who testified or submitted written comments at the public hearing (if one is scheduled); whose comments were received by the agency during the public comment period; and who requested notification from the agency of the availability of such changes.

Final Statement of Reasons:

After the close of the 45-day public comment period, the Department will summarize and respond to all public comments in a written final statement of reasons. To obtain a copy of the final statement of reasons, contact the persons noted above, or access the Department's Internet website at <http://www.edd.ca.gov>.

Further Information:

The Department has prepared and has available for review, upon request, the text of the proposed regulations discussed in this notice, written in plain English; a statement of reasons setting forth the purpose of the proposed regulations; and the information upon which the Department relied in proposing the regulations. (If you received this notice by mail, a copy of the text of the proposed regulations and the statement of reasons were enclosed.) To obtain a copy, contact the persons noted above, or access the Department's Internet website at <http://www.edd.ca.gov>.

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review. For inquiries regarding the rulemaking file or the regulations' process, contact the persons noted above.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING**

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No

such program or (CEIR) has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contractors in order to submit a responsive bid must present evidence that it's Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P.O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse
Marketplace, Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P.O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians & Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P.O. Box 925
Middletown, CA 95461

DEPARTMENT OF FISH AND GAME

Department of Fish and Game —

Public Interest Notice

For Publication November 2, 2007

CESA CONSISTENCY DETERMINATION REQUEST FOR

City of Delano Wastewater Treatment Plant
Expansion Project
Kern County

The Department of Fish and Game (Department) received a notice on October 19, 2007 that the City of Delano proposes to rely on consultations between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act (CESA). This project consists of the expansion of the City of Delano's wastewater treatment plant from its current capacity of 4.4 million gallons a day (mgd) to 8.8 mgd in Kern County, CA (Project). Project activities associated with construction include 12,500 linear feet of effluent pipeline, 30,000 linear feet of trunk sewers, and a 30-acre storage/percolation pond. These activities will result in impacts to approximately 7.3 acres of habitat suitable for the San Joaquin kit fox (*Vulpes macrotis mutica*). These impacts could result in mortality of individuals of the species.

The U.S. Fish and Wildlife Service (Service) issued a "no jeopardy" federal biological opinion (1-1-07-F-0056)(BO) and incidental take statement (ITS) to the U.S. Environmental Protection Agency (USEPA) on September 17, 2007 which considered the effects of the project on the Federally endangered and State threatened San Joaquin kit fox. Pursuant to California Fish and Game Code Section 2080.1, the City of Delano is requesting a determination that the BO and ITS are consistent with CESA for the proposed Project. If the Department determines the BO and ITS are consistent with CESA for the proposed Project, the City of Delano will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

FISH AND GAME COMMISSION

NOTICE OF FINDINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2074.2 of the Fish and Game Code, the California Fish and Game Commission, at its

October 11, 2007, meeting in Concord, accepted for consideration the petition submitted by Gary R. Alten to remove the American Peregrine Falcon (*Falco peregrinus anatum*) from the Endangered Species List. Pursuant to subdivision (a)(2) of Section 2074.2 of the Fish and Game Code, the aforementioned species is hereby declared a candidate species for delisting as defined by Section 2068 of the Fish and Game Code.

Within one year of the date of publication of this notice of findings, the Department of Fish and Game shall submit a written report, pursuant to Section 2074.6 of the Fish and Game Code, indicating whether the petitioned action is warranted. Copies of the petition, as well as minutes of the October 11, 2007, Commission meeting, are on file and available for public review from John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Written comments or data related to the petitioned action should be directed to the Commission at the aforementioned address.

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

NOTICE TO INTERESTED PARTIES

NOTICE OF PUBLIC COMMENT PERIOD

ON

AIR TOXICS HOT SPOTS PROGRAM — PROPOSED REVISIONS TO THE TECHNICAL SUPPORT DOCUMENT FOR NONCANCER RISK ASSESSMENT

October 23, 2007

The Office of Environmental Health Hazard Assessment (OEHHA) is releasing a draft document, *Air Toxics Hot Spots Program Technical Support Document For the Derivation of Noncancer Reference Exposure Levels* to solicit public comment. OEHHA is required to develop guidelines for conducting health risk assessments under the Air Toxics Hot Spots Program (Health and Safety Code Section 44360(b)(2)). OEHHA previously developed Technical Support Documents (TSDs) in response to this statutory requirement, in-

cluding two (in 1999–2000) which described acute and chronic Reference Exposure Levels (RELs). This revised draft TSD is designed to replace those original TSDs, and presents methodology revised to reflect scientific knowledge and techniques developed since the previous guidelines were prepared, and in particular to explicitly include consideration of possible differential effects on the health of infants, children and other sensitive subpopulations, in accordance with the mandate of the Children’s Environmental Health Protection Act (Senate Bill 25, Escutia, chapter 731, statutes of 1999, Health and Safety Code Sections 39669.5 *et seq.*). In addition to the previously defined acute and chronic RELs, the new method allows for the estimation of 8-hour RELs, which may be useful in dealing with some special circumstances in Hot Spots risk assessments. The revised draft also contains proposed Reference Exposure Levels for six chemicals (acetaldehyde, acrolein, arsenic, formaldehyde, manganese, and mercury), which illustrate the intended use of the new guidelines as well as updating the health protective levels for these compounds.

We are seeking comments on this document (including the RELs), in particular on the revisions to the existing approved methodology, and the appropriateness of the revised methodology to protect infants and children and other sensitive subpopulations. Following this public comment period, the document and any comments received, along with OEHHA’s response to these comments, will undergo review by the state’s Scientific Review Panel on Toxic Air Contaminants.

The draft document becomes available on the OEHHA Home Page at <http://www.oehha.ca.gov> on **November 2, 2007. The availability of the document on this site will commence a 60-day public review period that will end on January 2, 2008.**

Public workshops will be held at 10:00 a.m. — 4:00 p.m. on November 30th in Diamond Bar and at 10:00 a.m. — 4:00 p.m. on December 7th, 2007 in Oakland. Location information is as follows:

(conference room)
South Coast Air Quality Management District
21865 Copley Dr,
Diamond Bar, CA 91765

Room 12,
Elihu Harris Building
1515 Clay St., 2nd Floor
Oakland, CA 94612

Please direct any inquiries concerning technical matters or availability of this document to Dr. Andrew G. Salmon at (510) 622–3191 or e-mail to: asalmon@oehha.ca.gov.

Please direct your comments, in writing, regarding the document to:

Dr. Andrew G. Salmon
Chief, Air Toxicology and Risk Assessment Unit
Office of Environmental Health Hazard Assessment
1515 Clay St., 16th Floor
Oakland, CA 94612.

Information about dates and agenda for meetings of the Scientific Review Panel can be obtained from the ARB web page at <http://www.arb.ca.gov/srp/srp.htm>.

RULEMAKING PETITION DECISIONS

DEPARTMENT OF SOCIAL SERVICES

October 5, 2007

Professor John F. Banzhaf III
Action on Smoking and Health
2013 H Street NW
Washington D.C. 20006–4207

Dear Professor Banzhaf:

SUBJECT: PETITION FOR RULEMAKING
SEEKING REGULATIONS TO
PROTECT FOSTER CHILDREN FROM
UNNECESSARY EXPOSURE TO
TOXIC AND CARCINOGENIC SECOND
TOBACCO SMOKE

The California Department of Social Services (CDSS) is in receipt of the request from Action on Smoking and Health to adopt rules and procedures that protect foster youth from secondhand smoke.

In response to your request, we will be expanding existing smoking prohibitions. Pursuant to Health and Safety Code section 1530, the Department will adopt regulations within Title 22, Division 6, Chapter 5, to prohibit smoking in all group homes licensed by the Department. Similarly, such regulations would be applicable to all out-of-state group homes certified by the Department. Out-of-state group homes certified by the Department must meet all licensing standards required of group homes operated in California. Promulgating such regulations will expand the breadth of current regulations that prohibit smoking in group homes for children under the age of 6.

In accordance with Government Code section 11340.7, subdivision (d), a copy of this response will be sent to the Office of Administrative Law. Interested persons may obtain a copy from CDSS. We will keep you apprised of the status of our efforts to promulgate regulations prohibiting smoking in group homes.

If you have any questions or concerns, you may contact Elizabeth A. Sandoval, Supervising Staff Counsel at

(916) 673-0214. Again, we thank you for bringing this issue to our attention.

Sincerely,

/s/

LAWRENCE B. BOLTON
Deputy Director

c: Office of Administrative Law
per Government Code section 11340.7(d)

**OAL REGULATORY
DETERMINATIONS**

DEPARTMENT OF MENTAL HEALTH

OFFICE OF ADMINISTRATIVE LAW

**ACCEPTANCE OF PETITION TO REVIEW
ALLEGED UNDERGROUND REGULATIONS**

**(Pursuant to title 1, section 270, of the
California Code of Regulations)**

Agency being challenged:

The Office of Administrative Law has accepted the following petition for consideration. Please send your comments to:

Kathleen Eddy, Senior Counsel
Office of Administrative Law
300 Capitol Mall, Ste. 1250
Sacramento, CA 95814

A copy of your comment must also be sent to the petitioner and the agency contact person.

Petitioner:

James A. Hydrick
Coalinga State Hospital
CO-507-4/RRU-11
P.O. BOX 5003
Coalinga, CA 93210

Agency contact:

Anne T. Nguyen
Department of Mental Health
1600 9th Street, #153
Sacramento, CA 95814

**PETITION TO THE OFFICE OF
ADMINISTRATIVE LAW**

RE: Alleged Underground Regulation

FROM: Mr. James A. Hydrick (Petitioner)

DATE: August 6, 2007

Use of this form is entirely optional. It requests the information required by Title 1, California Code of Regulations, section 260, for a petition challenging an alleged underground regulation. Although you are not required to use this specific form, the mandatory information required by 1 CCR 260, including the supporting documentation, must be included somehow in your petition. If you create a separate petition, or if you use this form and need to add extra pages, be sure that each page is labeled clearly.

1. Identifying Information:

Your name: James Alan Hydrick,
CO-507-4/RRU-11

Your address: P.O. Box 5003, Coalinga, CA 93210

Your telephone number (if you have one): (559)
935-0814/(559) 935-1273

Your email (if you have one): jhydrick2859ash@juno.com

2. State agency or department being challenged:
Department of Mental Health (DMH) [Coalinga State Hospital]

3. Provide a complete description of the purported underground regulation. Attach a written copy of it. If the purported underground regulation is found in an agency manual, identify the specific provision of the manual alleged to comprise the underground regulation. Please be as precise as possible.

Administrative Directives are the basic written rules and regulations for Coalinga State Hospital and can be found in the, "**Hospital Operating Manual**" of Coalinga State Hospital, or DMH "**Special Orders**" may be issued outside the normal policy review process and at the discretion of the , **Executive Director**". This Manual contains a unknown number of . . . "**Underground regulations**" that are being illegally enforced on the 6600 et seq.

4. Provide a description of the agency actions you believe demonstrate that it has issued, used, enforced, or attempted to enforce the purported underground regulation.

Coalinga State Hospital, Executive Director (A), Mr. Ben McLain, and his administrative staff. . . Gary Ronzaglia, Clinical Administrator, Rockey Sporgan, Program 1, Administrator and David Montoya, Chief of Police Services circumvented A.D. 101, "**Administrative Directives**" by making alterations to

A.D. 626's . . . "Attachment "A" [Allowables List]" changing its revision date from January 19, 2007 to July 9, 2007, violating Government Code § 11340.5.(a), while the A.D. 626 it-self, remains unchanged and the patient population was **never** advised of this adverse change of policy.

5. State the legal basis for believing that the guideline, criterion, bulletin, provision in a manual, instruction, order, standard of general application, or other rule or procedure is a regulation as defined in Section 11342.600 of the Government Code AND that no express statutory exemption to the requirements of the APA is applicable.

For an administrative regulation to be valid, it **must** be within the scope of the authority conferred by the enabling statute. **Terhune V. Superior Court, 65 Cal. App.4th 864, 762-3 (Cal. App. Ct.1998).**

DMH and Coalinga State Hospital, (CSH) are currently purporting to have the authority to adopt regulations pertaining to patients rights for all Non-LPS patients under Welfare & Institutions Code §§ 4005.1 and 4027. However, § 4027 of the Welfare & Institutions Code, only grants DMH the authority to adopt regulations that affect the rights of a **"specified group of mentally-ill offenders receiving treatment"**

6. Provide information demonstrating that the petition raises an issue of considerable public importance requiring prompt resolution.

Petitioner, and his peers, 6600 patients' are not **"persons receiving treatment as mentally disordered sex offenders", held pursuant to the repealed MDSO Law, (Penal Code § 1364).** Petitioner's confinement at CSH is pursuant to W&I §§ 6600 et seq. a commitment, that is **not** included in § 4027 of the W&I Code. While W & I § 4005.1 grants DMH the authority to **"adopt and enforce rules and regulations necessary to carry out its duties under this division"**, there are no provisions in Division 4 granting DMH the authority to create or limit the rights of Petitioner. See attached supplemental page & documents.

7. (Optional) Please attach any additional relevant information that will assist OAL in evaluating your petition. **SEE ATTACHED: [1] Declaration of James A. Hydrick, [2] Cover-Sheet to A.D. Index from CSH citing a phantom A.D. 101, [3] A.D.101 from Atascadero State Hospital (ASH), titled: Administrative Directives, [4] A.D. 214, [5] A.D. 626, [6] Revised Allowables List & [7] Memorandum dated 7/27/07.**

8. Certifications:

I certify that I have submitted a copy of this petition and all attachments to:

Name: Dr. Stephen W. Mayberg, Ph.D Director,

Agency: California Department of Mental Health

Address: 1600 9th St, Suite 151
Sacramento, CA 95814

Telephone number: (916) 654-2413/(916) 654-2309
[&]

Ben McLain, Executive
Director (A)
Coalinga State Hospital
24511 West Jayne Ave,
P.O. Box 5003
Coalinga, CA 93210
(559) 935-4302 / (559) 935-4303
[Bmclain@csh.dmh.ca.gov]

I certify that all of the above information is true and correct to the best of my knowledge.

/s/

Signature of Petitioner
James Alan Hydrick

August 6, 2007
Date

See attached supporting Documentation

[SEE ATTACHED DECLARATION OF JAMES A. HYDRICK, IN SUPPORT OF PETITION]

**** DECLARATION OF JAMES A.
HYDRICK ****

Pursuant to 28 U.S.C. § 1746, I Jamea Alan Hydrick, do hereby declare under penalty of perjury that the foregoing facts, information and supporting documents are true and correct.

1. That I am the Petitioner in this matter and a resident of Fresno, County California, and over the age of 18 years of age.
2. That I am a registered voter. . .Voter # 10 K 849860, and am not in prison, or serving any prison sentence.
3. That I am confined at Coalinga State Hospital ("CSH") pursuant to Welfare & Institutions Code §§ 6600 et seq. ("6600s" or ("SVP"), but have not been committed to DMH as an SVP by any court. My current legal status is a 6602. I have been in DMH with this status for 11 years now.
4. That Administrative Directives (A.D.'s) 626, 644, 654, and an unknown number of other underground regulations are currently being used, and enforced on me and my peers that are inconsistent with California Law, Departmental regulations, concerning the care, treatment and housing of petitioner, and my peers' rights.
5. That this is being done by the above named persons knowingly, willfully, for the purpose of

inflicting pain, injury, motivated by hatred of the SVP population and an attempt to intentionally incite patients' into altercations.

6. That changes are made to A.D.'s at a blink of an eye, and that no one in administration post any notice of : **"RULE CHANGES"**. The July 27, 2007 Memorandum attached to my declaration will clearly demonstrate my point. It states, "Due to the policy changes in A.D.626 in the **"Allowable List"** enacted on July 9th, 2007, restricting family members from sending in CD/DVD's and electronics". No changes were made to A.D. 626, dated January 19, 2007, it has not been revised, only the Attachment was changed and dated July 9, 2007.
7. That revising the attachment of an A.D. without revising the A.D. itself, violates A.D. 101 III, (B), & (C). And a violation of A.D. 101.2 III, (B), **"Any new or revised directive (not attachments), shall replace the copy currently in the Hospital Operating Manual. A new effective date and cancellation notice WILL appear on the new copy to be filed.** As one can clearly see, this Revised Allowables List. . has NO new effective date, as it is only an attachment and sust reflect the same date as the A.D. 626 has. . .It does not.
8. That all members of the Hydrick Class. . ("6600's") were adversely affected by this illegal change. An Emergency RAPC Meeting was called for on 8/01/07 and Rockey Spurgeon and Ms. P. Ahlin admitted that the changes were made to the A.D. 626 outside of proper procedures and that they had not received authorization to do so. See attached the, **"EMERGENCY RAPC OFFICERS MEETING"** minutes, dated 8/10/07, at:2:10 p.m.
9. Special Order No.: 241.03 has been altered and contend that it was not promulgated pursuant to APA's established polices and procedures as set forth in Gov. Code § 11340 et seq.
10. The patient population receives NO notice of any proposed changes to the A.D.'s Special Orders and the ones that on the units for patients access are, not up-to-date, and have A.D.'s missing. Spocial Orders are not made available to the patients. The patient must go to the patients Library in order to have access to rules & regulations regarding the patients conduct.
11. That the A.D.'s and Special Orders cited in this petition do not represent the whole picture and

high level of violations regarding the Administrative Directives.

"The state cannot have it both ways. If confinement of sexually violent predator is civil for the purposes evaluation under the Ex Post Facto clause, that confinement is civil for the purposes of defining the rights to which the detainee is entitled while confined. Civil status means civil status, with all . . . rights that accompany it."

[See Hydrick, et al. V. Hunter, et al. 466 F.3d 676 9th Cir. Page 11989]

12. The Legal and Civil Rights of Persons, "Involuntarily detained", under the provisions of the Welfare & Institutions Code § 6600, et seq, are included in Division 6 of the Welfare & Institutions Code, Article 7, §§ 5325.1 & § 5327" Rights of Involuntarily Detained.

I declare under penalty of perjury that the above stated facts, and supporting documentation are true and correct. Executed this 6, day of August, 2007, in the County of Fresno, California.

DATED: August 6, 2007

/s/

Mr. James A. Hydrick
In-House Investigator

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2007-0911-02
Board of Education
American Indian Education Centers

This is the certification of compliance for an emergency action that adopted standards and procedures for the award of grants to American Indian Education Centers to provide community-based educational resources to American Indian pupils and parents.

Title 5
California Code of Regulations
ADOPT: 11996, 11996.1, 11996.2, 11996.3,
11996.4, 11996.5, 11996.6, 11996.7, 11996.8,
11996.9, 11996.10, 11996.11
Filed 10/24/2007
Agency Contact: Debra Strain (916) 319-0860

File# 2007-0917-02
BOARD OF FORESTRY AND FIRE PROTECTION
Watershed with T or I Values Extension 2007
This action will extend the effective period of forest practice rules for the protection of threatened or impaired watersheds that were first effective on July 1, 2000, continuing them in force without change until December 31, 2008.

Title 14
California Code of Regulations
AMEND: 895.1, 898, 914.8, 916, 916.2, 916.9,
916.11, 916.12, 923.3, 923.9, 934.8, 936, 936.2,
936.9, 936.11, 936.12, 943.3, 943.9, 954.8, 956,
956.2, 956.9, 956.11, 956.12, 963.3, 963.9
Filed 10/24/2007
Effective 01/01/2008
Agency Contact: George Gentry (916) 653-8031

File# 2007-1017-02
CALIFORNIA HIGHWAY PATROL
Warning Lamps
This regulatory action deals with warning lamps.
(Prior OAL file 07-0830-01S.)

Title 13
California Code of Regulations
AMEND: 811, 813
Filed 10/17/2007
Effective 11/16/2007
Agency Contact: Gary Ritz (916) 445-1865

File# 2007-0907-03
CALIFORNIA HIGHWAY PATROL
Special Equipment — Wheelchair Lifts
This action amends the effective dates for the incorporated Federal Motor Vehicle Safety Standards governing wheelchair lifts to conform to the delayed actual effective dates.

Title 13
California Code of Regulations
AMEND: 1090
Filed 10/22/2007
Effective 11/21/2007
Agency Contact: Cris Morgan (916) 445-1865

File# 2007-1005-04
CALIFORNIA HORSE RACING BOARD
Term of License
This regulatory action adds backstretch event personnel to the class of licenses the term of which expires on the last day of the year in which the license is issued and are automatically extended to expire on the last day of the birth month of the licensee.

Title 4
California Code of Regulations
AMEND: 1486
Filed 10/24/2007
Effective 11/23/2007
Agency Contact: Harold Coburn (916) 263-6397

File# 2007-0904-01
CALIFORNIA INTEGRATED WASTE
MANAGEMENT BOARD
Hearing Officer and Technical Expertise
This is a filing without regulatory effect that changes to Titles 14 and 27 of the California Code of Regulations. The changes seek to revise incorrect cross references and to make the regulatory provisions consistent within changed California statutes.

Title 14, 27
California Code of Regulations
AMEND: Title 14: 18050, 18051, 18060, 18070,
18072, 18075, 18077, 18078, 18081, 18104.4,
18105.4, 18105.6, 18209, 18304, 18304.2, 18306,
18307, 18831, Title 27: 21563, 21615, 21620,
21650, 21680
Filed 10/17/2007
Agency Contact: Robert Holmes (916) 341-6376

File# 2007-0928-03
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Joint Venture Program
This proposed action amends and adopts portions of Title 15 governing the Joint Venture Program within the California Department of Corrections and Rehabilitation based upon an order of the Superior Court of San Diego County in the Stipulated Injunction and Order, Case No. GIC-740832, Vasquez v. State of California, 105 Cal.App.4th 849 (April 5, 2007). This proposed rulemaking action is brought pursuant to Penal Code 5058.3.

Title 15
California Code of Regulations
ADOPT: 3486
AMEND: 3482, 3484, 3485
Filed 10/18/2007
Effective 10/18/2007
Agency Contact: Ann Cunningham (916) 341-7325

File# 2007-0928-02
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Repeal of Indecent Exposure Pilot Program

This proposed change is without regulatory effect. The Department of Corrections and Rehabilitation seeks to repeal the Pilot Program regarding Plan for Management of Indecent Exposure Incidents at Pelican Bay State Prison found in sections 3999.1.8 through 3999.1.11. The pilot program was operational March 1, 2005, and lapsed March 1, 2007 by operation of law (Penal Code Section 5058.1(d)).

Title 15
California Code of Regulations
REPEAL: 3999.1.8, 3999.1.9, 3999.1.10, 3999.1.11
Filed 10/22/2007
Agency Contact: Ann Cunningham (916) 341-7325

File# 2007-0921-02
DEPARTMENT OF MOTOR VEHICLES
Clean Air Vehicle Stickers

This proposed change to Title 13, section 156.00(g)(2) is without regulatory effect. The proposed change amends two incorrect citations within (g)(2) regarding the placement of Clean Air Vehicle Stickers on a vehicle.

Title 13
California Code of Regulations
AMEND: 156.00
Filed 10/23/2007
Agency Contact: Randi Calkins (916) 657-8898

File# 2007-0910-02
DEPARTMENT OF TOXIC SUBSTANCES
CONTROL
Amendment to Land Use Covenants

This regulatory action clarifies when it is appropriate for the Department to require land use restrictions in the form of covenants, requires a description of implementation and enforcement provisions in the covenants, ensures that the regulation applies to site cleanup activities being conducted under the Department's new brownfields authority of chapter 6.82 of the Health and Safety Code and, for federally-owned property, permits land use covenants to be executed by the Department and the federal government or the successor-in-interest to the federal government, during the initial property transfer process, to be properly recorded in the county where the land is located.

Title 22
California Code of Regulations
AMEND: 67391.1
Filed 10/18/2007
Effective 11/17/2007
Agency Contact: Laura Hayashi (916) 322-6409

File# 2007-0912-03
EMPLOYMENT TRAINING PANEL
May Package — Payment Earned; Other Program Changes

In this regulatory action, the Employment Training Panel amends its training program regulations relating to (1) the definition of the term "payment earned," (2) Multiple Employer Contractor charges to participating employers, and (3) the management and supervisor training cap. This regulatory action also includes the repeal of an existing regulation pertaining to advances to public agencies and private, nonprofit organizations.

Title 22
California Code of Regulations
AMEND: 4400, 4409.1, 4415 REPEAL: 4440.1
Filed 10/23/2007
Effective 11/22/2007
Agency Contact: Spencer Kenner (916) 327-5578

File# 2007-0924-06
OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD
GISO Sections 3324 and 5189

This regulatory filing adds a new section to the General Industry Safety Orders. New section 3324 of title 8 of the California Code of Regulations adds requirements for positive stops that would limit the travel of horizontal sliding gates to the designed fully open or closed position to mitigate the hazard of a gate falling onto an employee causing fatal or serious injury.

Title 8
California Code of Regulations
ADOPT: 3324
Filed 10/23/2007
Effective 11/22/2007
Agency Contact: Michael Manieri (916) 274-5721

File# 2007-0906-05
STATE LANDS COMMISSION
Conflict of Interest Code

This is a Conflict of Interest Code filing that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2
California Code of Regulations
ADOPT: 2970
Filed 10/17/2007
Effective 11/16/2007
Agency Contact: Anne Kerri (916) 574-1912

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN MAY 23, 2007 TO
OCTOBER 24, 2007**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

07/09/07 AMEND: 270
06/28/07 AMEND: 2616

Title 2

10/17/07 ADOPT: 2970
10/15/07 ADOPT: 2291, 2292, 2293, 2294, 2295, 2296
10/09/07 AMEND: 1896.98, 1896.99.100, 1896.99.120
10/03/07 ADOPT: 1859.167.2, 1859.167.3
AMEND: 1859.2, 1859.163.3, 1859.167
REPEAL: 1859.167.1
10/01/07 ADOPT: 1859.71.6, 1859.77.4 AMEND: 1859.2
09/24/07 ADOPT: 18420.5
09/24/07 ADOPT: 18361 AMEND: 18360, 18361.7
09/20/07 ADOPT: 18466
09/20/07 REPEAL: 18530.9
09/11/07 ADOPT: 18440
09/10/07 AMEND: 1183.13
09/04/07 ADOPT: 54700
08/31/07 ADOPT: 1859.180, 1859.181, 1859.182, 1859.183, 1859.184, Form SAB 50-11
AMEND: 1859.2, 1859.51, 1859.61, 1859.75.1, 1859.81, 1859.81.1, 1859.81.2, 1859.103, 1859.104, 1859.202, 1866, Form SAB 50-04, Form SAB 50-06
08/31/07 AMEND: 18109, 18204.5, 18208.5, 18215.2, 18228, 18236, 18241, 18306, 18315, 18323, 18325, 18350, 18404.2,

18410, 18416, 18429, 18432, 18438, 18457, 18500, 18502, 18502.1, 18502.2, 18519.4, 18522, 18526.1, 18530.1, 18531.1, 18531.3, 18531.4, 18532, 18536.1, 18536.2, 18538, 18538.2, 18541, 18564, 18573, 18580, 18585, 18586, 18587, 18588, 18590, 18616.5, 18618, 18619, 18620, 18621, 18622, 18626, 18650, 18700.1, 18702.6, 18704.3, 18707.3, 18720, 18725, 18726, 18726.1, 18726.2, 18726.3, 18726.4, 18726.5, 18726.6, 18726.7, 18726.8, 18727, 18760, 18902, 18930.1, 18931, 18935, 18940.1, 18950.2, 18954

08/03/07 AMEND: 58800
08/02/07 ADOPT: 1700
07/18/07 AMEND: 1859.2, 1859.51, 1859.61, 1859.81, 1859.202, 1866
07/18/07 AMEND: 18361.2, 18361.4
07/18/07 ADOPT: 7288.0, AMEND: 7288.0, 7288.1, 7288.2, 7288.3
07/17/07 AMEND: 1859.2
07/02/07 ADOPT: 18531.62 AMEND: 18544, 18545
07/02/07 ADOPT: 1859.302, 1859.324.1, 1859.330 AMEND: 1859.302, 1859.318, 1859.320, 1859.321, 1859.322, 1859.323, 1859.323.1, 1859.323.2, 1859.324, 1859.326, 1859.328, 1859.329
06/20/07 ADOPT: 1859.106.1 AMEND: 1859.106
06/15/07 AMEND: div. 8, ch. 111, sec. 59560
06/13/07 ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.71, 20108.75, 20108.80
REPEAL: 20108.37

Title 3

10/15/07 AMEND: 3406(b)
10/03/07 AMEND: 3433(b)
09/28/07 AMEND: 3434(b)
09/25/07 AMEND: 3591.2(a)
09/24/07 ADOPT: 3591.20
09/19/07 AMEND: 3700(c)
09/17/07 AMEND: 3406(b)
09/12/07 AMEND: 3700(c)
09/11/07 AMEND: 3591.5(a)
09/11/07 AMEND: 3433(b)
09/10/07 ADOPT: 1391, 1391.1

09/05/07 ADOPT: 820.2, 820.7 AMEND: 820, 820.3, 820.4, 820.5, 820.6, 820.7
REPEAL: 820.6

08/21/07 AMEND: 3434

08/10/07 ADOPT: 3152

07/24/07 AMEND: 3591.6(a)(1)

07/23/07 AMEND: 3589(a)

07/20/07 AMEND: 3591.6(a)(1)

07/20/07 AMEND: 3423(b)

07/18/07 AMEND: 3434(b)

07/13/07 AMEND: 3591.20(a)

07/09/07 AMEND: 3433(b)

07/06/07 AMEND: 3591.2(a)

07/06/07 AMEND: 3589(a)

06/21/07 AMEND: 3434(b), 3434(c)

06/13/07 ADOPT: 6739 AMEND: 6000, 6720, 6738, 6793

06/07/07 AMEND: 3434(b)

06/06/07 AMEND: 3434(b)

06/05/07 AMEND: 3591.20(a)

05/31/07 ADOPT: 900, 900.1, 900.2, 901.5, 901.8, 901.9, 901.10, 901.11, 902, 902.1, 902.3, 902.4, 902.5, 902.6, 902.7, 902.8, 902.9, 902.10, 902.11, 902.12, 902.13, 902.14, 903, 903.1, 903.2, 903.3, 903.4, 903.5, 903.6, 903.7, 903.8, 903.9, 903.10, 903.11, 903.12

Title 4

10/24/07 AMEND: 1486

09/20/07 AMEND: 1844

09/04/07 AMEND: 12205.1, 12225.1

05/30/07 AMEND: 1481

Title 5

10/24/07 ADOPT: 11996, 11996.1, 11996.2, 11996.3, 11996.4, 11996.5, 11996.6, 11996.7, 11996.8, 11996.9, 11996.10, 11996.11

10/02/07 AMEND: 80001

10/01/07 AMEND: 43726

09/24/07 ADOPT: 17604.1, 17605.1, 17624, 17630.1, 17638, 17639, 17643, 17644, 17650 AMEND : 17600, 17601, 17602, 17603, 17604, 17605, 17606, 17607, 17608, 17609, 17625, 17626, 17627, 17628, 17629, 17630.2, 17631, 17632, 17640, 17641, 17642, 17646, 17648
REPEAL: 17633, 17634, 17645, 17647, 17649

09/10/07 ADOPT: 19828.2, 19829.5, 19830.1, 19837.1, 19838, 19846 AMEND: 19816, 19816.1, 19828.1, 19830, 19837, 19854

08/27/07 ADOPT: 9517.2

08/23/07 AMEND: 42000, 42002, 42003, 42005, 42006, 42007, 42008, 42009, 42010, 42011, 42012, 42013, 42018, 42019

08/16/07 ADOPT: 18096 AMEND: 18078, 18081, 18084, 18085, 18089, 18090, 18100, 18107

08/13/07 ADOPT: 17660, 17661, 17662, 17663, 17664, 17665, 17666, 17667

08/09/07 AMEND: 80124, 80125

07/31/07 ADOPT: 11987, 11987.1, 11987.2, 11987.3, 11987.4, 11987.5, 11987.6, 11987.7

07/27/07 AMEND: 50500

07/20/07 ADOPT: 58520

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